

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.313 of 2021

Arising Out of PS. Case No.-164 Year-2020 Thana- AMARPUR District- Banka

1. GORE LAL YADAV Son of Late Adhik Lal Yadav Resident of Village- Pathadda, P.S.- Fullidumar, Distt- Banka.
2. Laxmi Yadav S/o Late Adhik Lal Yadav Resident of Village- Pathadda, P.S.- Fullidumar, Distt- Banka.
3. Rajeev Kumar Son of Gore Lal Yadav Resident of Village- Pathadda, P.S.- Fullidumar, Distt- Banka.
4. Dlkhush Kumar Son of Gore Lal Yadav Resident of Village- Pathadda, P.S.- Fullidumar, Distt- Banka.
5. Ritesh Kumar @ Nitish Kumar S/o Laxmi Yadav Resident of Village- Pathadda, P.S.- Fullidumar, Distt- Banka.
6. Laltu Kumar Son of Laxmi Yadav Resident of Village- Pathadda, P.S.- Fullidumar, Distt- Banka.
7. Karuna Devi W/o Gore Lal Yadav Resident of Village- Pathadda, P.S.- Fullidumar, Distt- Banka.
8. Radhika Kumari @ Radha Kumari @ Radhika Devi D/o Gore Lal Yadav Resident of Village- Pathadda, P.S.- Fullidumar, Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri- Advocate

For the Opposite Party/s : Mr. Yogendra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 02-08-2021 Heard Mr. Balram Kapri, the learned Advocate for
the petitioners and Mr. Yogendra Kumar, the learned APP for the
State.

The petitioners seek bail in anticipation of their arrest
in connection with Amarpur (Fullidumar) P. S. Case No.164 of
2020, instituted for the offences under Sections 147, 148, 307,



323, 379, 337, 504 and 506 of the Indian Penal Code.

On 23.06.2021, this Court had called for the case diary and had granted provisional bail to all the eight petitioners. However, before this order dated 23.06.2021 was passed, petitioner no.1 had been arrested and had been granted bail by the Court below. This fact could not be communicated to the learned Advocate for the petitioners who had no idea about the aforesaid event.

In that event, the learned Advocate for the petitioners has prayed that the order with respect to the petitioner no.1 be recalled.

So far as the petitioner nos.6, 7 and 8 are concerned, since they were also not communicated the order dated 23.06.2021 granting them provisional bail, they also surrendered before the Court below and were granted bail. The order dated 23.06.2021 with respect to petitioner nos.6, 7 and 8 is hereby recalled.

The learned Advocate for the petitioners therefore presses the application only on behalf of the petitioner nos.2, 3, 4 and 5. Since four of the eight petitioners have surrendered to the process of law and all of them have been released on bail, it would only be appropriate if petitioner nos.2, 3, 4 and 5 also



surrender before the Court below and seek bail.

In case, the petitioner nos.2, 3, 4 and 5 surrender before the Court below, their application shall be considered on their own merits, keeping into account the fact that the other accused persons of this case have been granted bail, and an order shall be passed without being prejudiced by the fact that the present petition on their behalf has not been entertained.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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